

Serial No.: 10/008,831
Docket No.: 40655.5600

REMARKS

Applicants hereby reply to the Office Action mailed May 23, 2005 within the shortened three-month statutory period for reply. Claims 1-14 were pending in the application and the Examiner rejects claims 1-14. Applicants cancel claims 11-12 without prejudice to filing one or more claims having similar subject matter. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

Rejections under 35 U.S.C. § 102(a)

The Examiner rejects claims 1-6 and 9-14 under 35 U.S.C. § 103(a) as being anticipated by Pettus, U.S. Patent No. 5,499,343 ("Pettus") in view of Noy, U.S. Patent No. 6,795,851 ("Noy"). Applicants respectfully traverse these rejections.

Pettus discloses a system and method for providing pre-fabricated functionality for system level services which application developers can modify or override to create customized solutions, thereby avoiding the procedural calls necessary with prior art application framework programs. Pettus expands object oriented methodology and application frameworks that provide pre-fabricated application components such as user interface elements and event triggered classes. Such frameworks are available for a number of different programming languages and operating systems.

Specifically, Pettus discloses a messaging system wherein a client computer requiring a service can transmit a request message to a server. According to Pettus, this is accomplished through a number of pre-fabricated objects. A service request is first created when a client application, needing access to a service, creates a caller object and a transport object. The transport object creates a stream object which opens a data stream to a Networking Service Facility (NSF) interface. The service request along with network protocol information is then streamed to a protocol translator which uses the protocol information to deliver the service request to a correct peer session on a remote node.

Noy discloses a TCP/IP-based communication channel construction mechanism that constructs a dedicated bi-directional data transmission for a single client/server session. Specifically, the Noy system comprises a communications channel applet which is downloaded to a client. When the client subsequently establishes a connection with the server, the channel applet receives a server-supplied dynamic code indicative of a preferred execution environment.

Serial No.: 10/008,831
Docket No.: 40655.5600

The channel applet then attempts to establish a communication channel using the preferred execution environment. If the channel cannot be established using the preferred execution environment; a second dynamic code indicative of the next-most preferred execution environment is generated at the server and transmitted to the client. The client applet then attempts to establish a communications channel using the next-most preferred execution environment.

Both Pettus and Noy disclose systems and methods for establishing an appropriate or best mode of communication between computing systems. Further, both references disclose the exchange of request and reply messages between a service requestor and service supplier. However, the request message, as specifically disclosed by Pettus and generally disclosed by Noy, comprises a singular request that is transported across a network. In response, the references disclose a singular reply message that is transported across a network to the requestor. However, those skilled in the art would appreciate that in client/server computing where network traffic is a consideration, transporting singular request/reply messages over the network does not represent the most efficient use of networking resources. As such, neither Pettus, Noy, or a combination thereof disclose or suggest at least "formatting said first plurality of request messages to construct a request data stream," as similarly recited by independent claims 1, 10 and 14.

Claims 2-6, 9 and 13 variously depend from independent claims 1 and 10. Applicants assert that dependent claims 2-6, 9 and 13 are differentiated from the cited references for at least the same reasons as set forth above, as well as their own respective features.

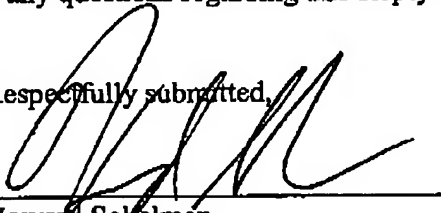
The Examiner next rejects claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Pettus and further in view of Nakagawa et al., U.S. Patent No. 6,530,025 ("Nakagawa"). Claims 7-8 variously depend from independent claim 1. Applicants assert that dependent claims 7-8 are differentiated from the cited references for at least the same reasons as set forth above, as well as their own respective features. Moreover, Nakagawa merely discloses the use of passwords and other authentication information used in other systems, so Pettus, Nakagawa, or any combination thereof does not disclose or suggest at least "formatting said first plurality of request messages to construct a request data stream," as recited by independent claim 1.

Applicants respectfully submit that the pending claims are now in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required,

Serial No.: 10/008,831
Docket No.: 40655.5600

or credit any overpayment, to Deposit Account No. 19-2814. Applicants invite the Office to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general

Respectfully submitted,



Dated: July 21, 2005

Howard Sobelman
Reg. No. 39,038

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6228
Fax: 602-382-6070
Email: hsobelman@swlaw.com